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January 30, 2008

Via Facsimile Only - (914-390-4085)

The Honorable Charles L. Brieant
United States District Judge
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

MEMO ENDORSED

Discovery to be completed
by 4/11/08 Final Conference
New Date set for 4/11/08
9:30. The 2/29/2008 Conference
is cancelled
So Ordered, Jan 30, Charles L. Brieant
01 Civ. 6501(CIB) 4505

Re: Battaglia v. Lowe's Home Centers, Inc.
Index No. 3270/2007

Dear Judge Brieant:

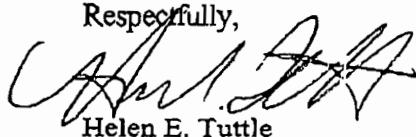
This firm represents Defendant Lowe's Home Centers, Inc. ("Lowe's") in the above referenced matter. Please accept this joint request for an extension of the discovery end.

Pursuant to the Court's Civil Case Discovery Plan and Scheduling Order, the discovery end date is January 31, 2008. The parties have worked diligently to complete written and document discovery, and plan to complete this phase of discovery by the end of the week. However, the parties still require additional time to conduct depositions of Plaintiff and Defendant's witnesses (one of whom is located in North Carolina and the other in Tennessee). Based on the foregoing, the parties require additional time to complete discovery and, therefore, jointly request a 60-day extension of the discovery end date. The parties propose a new discovery end date of March 31, 2008.

Please advise if this request has been granted. Thank you.

Edward A. Gramigna, Jr.
Partner responsible for
Florham Park Office

Respectfully,



Helen E. Tuttle

HET/ada

Established 1849

cc: David S. Halsband, Esq. (via facsimile only)